

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Nathaniel Geathers,) Case No.: 4:24-cv-2909-JD-TER
)
Plaintiff,)
)
vs.)
)
Larry McNeil, Clay Anderson, John)
Doe, and Unknown Defendants,)
)
Defendants.)
)

ORDER

Before the Court is Plaintiff Nathaniel Geathers's ("Plaintiff" or "Geathers") motion to reconsider the Court's November 6, 2024, Order ("Order") dismissing Plaintiff's case with prejudice and without issuance and service of process. (DE 26.) Defendants have not responded in opposition. For the reasons below, the motion is denied.

"A district court has the discretion to grant a Rule 59(e) motion only in very narrow circumstances." *Hill v. Braxton*, 277 F.3d 701, 708 (4th Cir. 2002). Specifically, the Court may reconsider its prior order only "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." *Collison v. Int'l Chm. Workers Union*, 34 F.3d 233, 236 (4th Cir. 1994) (quoting another source).

Plaintiff's motion in whole consists of six paragraphs stating:

1. I, Nathaniel Geathers, Did in Fact Notify the Court of an Amendment on 5/14/24.
2. Larry McNeil, is responsible for the action of his office under the policy of constitution Sheriff Power, which generally states that the Sheriff is

the Chief Law Enforcement Officer of a County with Inherent Authority to enforce laws within their jurisdiction. South Carolina Code of Law § 23-13-70.

3. When officer, Clay Anderson seized my property he didn't have a warrant. He must demonstrate probable cause to a judge, meaning they must have reasonable grounds in order for the judge to issue a warrant, the officer must provide a sworn affidavit from the law enforcement office wishing to conduct a search or seize a property. The warrant must require a particular description of the person or place to be searched or sized (October 15, 2023).

4. The fourth Amendment of the United States Constitution protects citizens from unreasonable searches and seizures by the government December 15 1791.

5. The Fourteenth Amendment of the United States Constitution protects people from being deprived of life, liberty, and property without due process of law.

6. I was denied my constitutional rights and due process of the law.

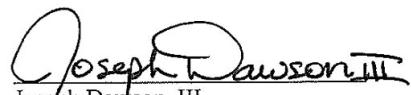
(DE 26.) However, Plaintiff's motion fails to meet the requirements of Rule 59(e).

Plaintiff asserts no change in the controlling law, no new evidence, and no clear error or manifest injustice. Accordingly, there is no basis for the Court to alter, amend, or reconsider its Order dismissing Plaintiff's complaint without prejudice and issuance and service of process.

CONCLUSION

For these reasons, the Court denies Plaintiff's Motion to Alter or Amend Judgment (DE 26).

IT IS SO ORDERED.



Joseph Dawson, III
United States District Judge

Florence, South Carolina
April 10, 2025